

REMARKS

By this Amendment, claims 1, 3 and 13 are amended. Claims 2, 4-12 and 14-20 remain in the application. Thus, claims 1-20 are active in the application. Reexamination and reconsideration of the application are respectfully requested.

I. Request for Acknowledgment of Foreign Priority

In the December 13, 2005 Amendment, the Applicant requested the Examiner to acknowledge the Applicant's claim of foreign priority and the receipt of the certified copy of the foreign priority document, because the Examiner did not acknowledge the Applicant's claim of foreign priority and the receipt of the certified copy of the foreign priority document in item 12 of the Office Action Summary form attached to the September 13, 2005 Office Action.

However, the Applicant notes that the Examiner again failed to acknowledge, in item 12 of the Office Action Summary form attached to the present Office Action, the Applicant's claim of foreign priority and the receipt of the certified copy of the foreign priority document.

Accordingly, the Applicant again respectfully requests the Examiner to acknowledge the Applicant's claim of foreign priority and the receipt of the certified copy of the foreign priority document.

II. Prior Art Rejections

In item 2 on page 2 of the Office Action, claim 13 was rejected under 35 U.S.C. § 102(e) as being anticipated by Hashimoto (U.S. 6,405,063). Further, in item 4 on page 3 of the Office Action, claims 1-12 and 14-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hashimoto in view of Vishwanathan et al. (U.S. 6,996,414, hereinafter "Vishwanathan").

Without intending to acquiesce to these rejections, independent claims 1, 3 and 13 have each been amended to more clearly illustrate the marked differences between the present invention and the applied references. Accordingly, the Applicant respectfully submits that the present invention is clearly patentable over the applied references for the following reasons.

The present invention provides a digital codeless telephone having a transceiver mode and a public telephone network mode. In particular, claims 1 and 3 recite that the digital codeless telephone comprises a first codeless hand set operable to call with a message having a group identification code by using a public telephone network communication for setting a transceiver communication.

Claim 1 further recites that the digital codeless telephone comprises a second codeless hand set operable to change the public telephone network mode to the transceiver mode according to the message.

Claim 3 further recites that the digital codeless telephone comprises a second codeless hand set having a memory for storing the group identification code communicated from the first codeless hand set over the public telephone network communication so as to enable communication between the first codeless hand set and the second codeless hand set through the transceiver communication.

Further, claims 1 and 3 each define that the group identification code included in the message from the first codeless hand set to the second codeless hand set is information which is necessary for the first codeless hand set and the second codeless hand set to communicate in the transceiver mode.

Accordingly, claims 1 and 3 each provide that the first and second codeless hand sets communicate in the public telephone network mode, in which the first codeless hand set calls the second codeless hand set with a message having a group identification code. The group identification code communicated from the first codeless hand set to the second codeless hand set over the public telephone network is information which is necessary for the first codeless hand set to communicate with the second codeless hand set in the transceiver mode.

Claim 13 recites a digital codeless telephone which has a home digital codeless system, a first codeless hand set and a second codeless hand set. Claim 13 defines that the first codeless hand set is operable to communicate with the second codeless hand set in the transceiver mode through the transceiver communication, without using the home digital codeless system, by using a group identification code.

Accordingly, claims 1, 3 and 13 each provide that first and second codeless hand sets communicate through a transceiver mode by using a group identification code.

In stark contrast to the present invention, Hashimoto merely discloses a communication method for cordless telephones in which telephones A and B use public system base stations 104, 106 for communicating over a public telephone network. In particular, Hashimoto merely discloses cordless telephones which can switch between a home system and an external, independent system based on the location of the cordless telephones so that the cordless telephones can maintain a public telephone network communication.

However, Hashimoto clearly does not disclose, suggest or even contemplate communicating on a transceiver mode. Hashimoto is clearly limited to communication between cellular phones on a public telephone network. Moreover, Hashimoto does not disclose, suggest or even remotely contemplate two codeless hand sets communicating in a transceiver mode by using a group identification code, as recited in claims 1, 3 and 13.

Furthermore, Hashimoto does not disclose, suggest, or even remotely contemplate a first codeless hand set calling a second codeless hand set with a message over a public telephone network communication, where the message includes a group identification code, which is necessary for the first codeless hand set and the second codeless hand set to communicate in the transceiver mode, as recited in claims 1 and 3.

Vishwanathan merely discloses a system of group calling in mobile communications by using a base station which links a plurality of callers together to participate in a “user group,” which can consist of a “closed user group” (CUG - limited to particular callers), or a “public user group” (PUG - not limited to particular callers) (see Column 10, lines 53-56). Vishwanathan also discloses that members of a group may initiate a private conversation that occurs outside the group call (see Column 10, lines 12-18).

Further, Vishwanathan discloses that if one or more members of a group (CUG or PUG) cannot participate in a group call, an exception list may be generated. The exception list informs those callers involved in the group call of the absent members, and the absent members may be notified by voicemail of the call that he or she missed. Vishwanathan also discloses that members who have joined in a group call may be informed of the other members that have also joined the group call (see Column 9, line 59 to Column 10, line 11).

Accordingly, for at least the foregoing reasons, Hashimoto and Vishwanathan clearly fail to disclose or suggest each and every limitation of claims 1, 3 and 13.

Therefore, no obvious combination of Hashimoto and Vishwanathan would result in the inventions of claims 1, 3 and 13 since Hashimoto and Vishwanathan, either individually or in combination, clearly fail to disclose or suggest each and every limitation of claims 1, 3 and 13.

Furthermore, it is submitted that the clear distinctions above are such that a person having ordinary skill in the art at the time the invention was made would not have been motivated to modify Hashimoto and Vishwanathan in such a manner as to result in, or otherwise render obvious, the present invention as recited in claims 1, 3 and 13.

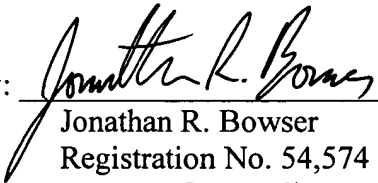
Therefore, it is submitted that the claims 1, 3 and 13, as well as claims 2, 4-12 and 14-20 which depend therefrom, are clearly allowable over the prior art as applied by the Examiner.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is respectfully solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

Hideyuki URITA

By: 
Jonathan R. Bowser
Registration No. 54,574
Attorney for Applicant

JRB/nrj/akl
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
September 5, 2006